

REMARKS

In the above-mentioned Office Action, claims 1 and 15 were rejected under Section 102(e) over Raleigh. And, while objection was made to claims 2-14 and 16-18, the Examiner acknowledged that such claims recite patentable subject matter. Objection was further made to the specification for text contained in the header portions, to missing material on page 1, line 2, and to Figure 1 of the drawings.

The applicant gratefully acknowledges the Examiner's indication of allowable subject matter of claims 2-14 and 16-18. Claim 1 has been amended now to include the recitations of claim 2, and claim 15 has been amended to include the recitations of claim 16. Claim 1 has further been amended to include the recitation that the space-time code is achieved using a space-time constellation.

Additionally, new claim 19 is proposed for the Examiner's examination and consideration for allowance. Support for the recitations of the claim can be found in the specification, for instance, on page 5, line 20, and on page 11, line 10. Raleigh fails to disclose the apparatus including the encoder recited therein .

Amendments to the specification are made responsive to the Examiner's objections to material contained in the header, to remove cross-reference to another application, and to overcome an informality on page 1.

The Applicant respectfully traverses the objection of the Examiner to Figure 1 of the application. Particularly, traverse is made that the Figure should be labeled as Prior Art. The Figure illustrates a space time encoder 28 and a recursive path 36 used during operation of the space time encoder. Specific implementations of the space time encoder are shown in Figures 2-4. Reconsideration of this objection is accordingly respectfully requested.

In light of the foregoing, independent claims 1 and 15, as now amended, and the remaining ones of the dependent claims dependent thereon, are believed to be in condition for allowance. And, examination and consideration for allowance of new claim 19 is respectfully requested.

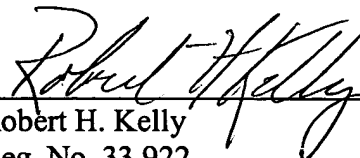
Appln. No. 09/945,010
Amdnt. dated Aug. 28, 2003
Reply to Office Action of May 28, 2003

Atty Docket No. NC17524 (9019.075)

Should the Examiner have any questions or desire clarification of any sort, or deem that any further amendment is desirable to place this application in condition for allowance, the Examiner is invited to telephone the undersigned at the number listed below.

Respectfully submitted,

Dated: 28 Aug 03


Robert H. Kelly
Reg. No. 33,922

SCHEEF & STONE, L.L.P.
5956 Sherry Lane, Suite 1400
Dallas, Texas 75225
Telephone: (214) 706-4201
Fax: (214) 706-4242
robert.kelly@scheefandstone.com